

REMARKS

Claims 1-2 and 4-25 are pending in the above-referenced patent application. Claims 1-2 and 4-11 have been amended and claims 12-25 have been added. It is noted that these claims were not amended to overcome the rejections and objections, or in light of the cited references. Rather, the claims were amended to more clearly delineate intended subject matter. Furthermore, it is believed that these amendments do not narrow claim scope. Rather, in some cases, the claims are even broadened. Therefore, no prosecution history estoppel should result from these claim amendments. Additionally, it is respectfully submitted that adequate support may be found in the specification for new claims 12-25. For example, adequate support may be found pages 5-7 and Fig. 4A-Fig 5B.

Assignee has provided a new Figure 7, along with corresponding support in the form of an amendment to the specification. It is respectfully submitted that new Figure 7 complies with 37 CFR 1.83(a), and does not introduce any new matter. Furthermore, adequate support for new Figure 7 may be found at least in the specification, figures, and claims as filed. Accordingly, it is respectfully requested that the Examiner enter new Figure 7 and the corresponding amendments to the specification.

In the Office Action, dated June 2, 2006, the Examiner rejected claims 1-2, 4, 7-8, and 11 under 35 U.S.C 103(a) as being unpatentable over what Examiner characterizes as "Applicant's Admitted Prior Art" (hereinafter "AAPA") in view of Lu (US Patent No. 6,046,826); rejected claims 5-6 under 35 U.S.C 103(a) as being unpatentable over so-called AAPA in view of Lu and Nakamura (Japanese Pat. No. 10-197969A); rejected claim 8 under 35 U.S.C 103(a) as being unpatentable over so-called AAPA in view of Lu and Kito et al. (US Patent No. 6,864,998); and objected to claims 9-10 for being dependent on a rejected base claim. These rejections are respectfully traversed.

Assignee respectfully submits that claims 1-2, 4, 7-8, and 11 as amended are not rendered obvious by so-called AAPA in view of Lu. It is respectfully submitted that so-called AAPA, whether viewed alone or in combination with Lu, still does not show or describe at least "a reflective plate disposed between said scanner upper shell and said light-emitting element, said reflective plate being adapted to reflect light emitted from said light-emitting element onto a surface; and an aperture formed

on a first predetermined position which is adjacent to a central part of said reflective plate to decrease said reflected light on a portion of said surface." As recited in claim 1, as amended.

The Examiner concedes that so-called AAPA is lacking at least one element of claim 1. As stated in the Office Action, page 4, "Applicant's admitted prior art does not disclose expressly an aperture on a first predetermined position of said reflective plate to decrease the illumination of said first predetermined position". Additionally, Lu fails to cure this deficiency noted by the Examiner. In the cited portions of Lu, the aperture shown and described is not formed on a reflective plate, but is formed on a light cover base. See, for example, col 1:67 – col 2:6. The reflective plate with aperture of Lu performs a completely different function than the reflective plate of claim 1. Accordingly, Lu does not teach or suggest an aperture formed on a first predetermined position which is adjacent to a central part of said reflective plate, and, therefore, for at least the reasons presented above, a prima facie case of obviousness has not been established, and, therefore, claim 1 is in a condition for allowance. It is noted that many other bases for traversing the rejection could be provided, but Assignee believes that this ground is sufficient. Additionally, claims 2, 4, 7-8, and 11 are in a condition for allowance for the same and/or similar reasons as presented with reference to claim 1, as amended. It is respectfully requested that the Examiner withdraw his rejections of these claims.

Assignee respectfully submits that claims 5-6 are not rendered obvious over so-called AAPA in view of Lu and Nakamura. It is respectfully submitted that so-called AAPA, whether viewed alone or in combination with Lu or Nakamura, still does not show or describe at least "an aperture formed on a first predetermined position which is adjacent to a central part of said reflective plate" As recited in claim 1. Nakamura is directed to a reflecting plate having cooling fins, and does not show or describe at least one element of claims 5-6. It is, therefore, respectfully requested that the Examiner withdraw the rejections of these claims.

Assignee respectfully submits that claim 8, as amended, are not rendered obvious by so-called AAPA in view of Lu and Kito. It is respectfully submitted that so-called AAPA, whether viewed alone or in combination with Lu or Kito, still does not show or describe at least "an aperture formed on a first predetermined position which is adjacent to a central part of said reflective plate" As recited in claim 1.

Attorney Docket: 112.P55011

Kito is directed to reading photographic images, and does not show or describe at least one element of claim 8. It is, therefore, respectfully requested that the Examiner withdraw the rejections of these claims.

Assignee respectfully submits that, for at least the reasons presented above, a prima facie case of obviousness has not been established, and all pending claims are in a condition for allowance. It is noted that many other bases for traversing the rejection could be provided, but Assignee believes that this ground is sufficient. Additionally, new claims 12-25 are in a condition for allowance for the same and/or similar reasons as presented above.

Attorney Docket: 112.P55011

CONCLUSION

In view of the foregoing, it is respectfully submitted that all of the claims pending in this patent application, as amended, are in condition for allowance. If the Examiner has any questions, she is invited to contact the undersigned at (503) 439-6500. Reconsideration of this patent application and early allowance of all the claims is respectfully requested.

Please charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account number 50-3703.

Respectfully submitted,

Dated: _____

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I hereby certify that this correspondence is being submitted via facsimile or deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

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